

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

VITTORIO GINZBURG
Plaintiff

v.

ELECTROLUX HOME PRODUCTS, INC.:
Defendant

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:
:
:
:

CIVIL ACTION

NO. 17-3384

ORDER

AND NOW, this 19th day of January 2018, upon consideration of the *motion to dismiss* filed by Defendant Electrolux Home Products, Inc., (“Defendant”), [ECF 3], the response in opposition filed by Plaintiff Vittorio Ginzburg (“Plaintiff”), [ECF 4], Defendant’s reply, [ECF 5], and the allegations in Plaintiff’s complaint, [ECF 1], it is hereby **ORDERED** that, for the reasons set forth in the accompanying Memorandum Opinion filed on this day, Defendant’s motion to dismiss is **GRANTED**, as follows:

- Plaintiff’s claims for negligence, negligent failure to warn, and strict product liability are **DISMISSED**, with prejudice.
- Plaintiff’s claim for breach of express and implied warranties is **DISMISSED**, without prejudice. As to this specific claim *only*, Plaintiff may file an amended complaint consistent with this Court’s Memorandum Opinion by no later than February 20, 2018.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court